

PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 28 OCT 2005	
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Applicant's or agent's file reference 29244/022WO1		FOR FURTHER ACTION See Form PCT/PEA/416	
International application No. PCT/EP2004/051351	International filing date (day/month/year) 02.07.2004	Priority date (day/month/year) 09.07.2003	
International Patent Classification (IPC) or national classification and IPC E21B7/06, E21B7/20, E21B41/00			
Applicant SERVICES PETROLIERS SCHLUMBERGER et al.			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau) a total of 6 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>			
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>			
Date of submission of the demand 08.02.2005		Date of completion of this report 31.10.2005	
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized Officer Garrido Garcia, M Telephone No. +31 70 340-4468 	

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/EP2004/051351

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-19	as originally filed
2a	filed with telefax on 27.07.2005

Claims, Numbers

1-24	filed with telefax on 27.07.2005
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Drawings, Sheets

1/8-8/8	as originally filed
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- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/EP2004/051351

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-24
	No: Claims	
Inventive step (IS)	Yes: Claims	1-24
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-24
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

Reference is made to the following documents:

D1: US 5 622 231

D2: US 1 929 415

The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and shows a method for constructing a lateral hole departing from a main well by positioning a drilling machine at a predetermined depth, pushing the drill bit with first cylindrical elements to form a drill string, removing the first cylindrical elements, and lining the drilled borehole with second cylindrical elements.

The subject-matter of claim 1 differs from this known method in that a tubular is instead formed by unwrapping a band of metal from a storage roll, said tubular serving as liner for the borehole.

The subject-matter of claim 1 is therefore new (Article 33(2) PCT).

The prior art methods require two steps to complete a lateral wellbore, a first step of drilling the hole, and a second step of lining it. By creating a tubular from a storage roll, an inexpensive tubular is produced which is strong enough to be used as a drill string, and not too costly to be left in the wellbore as lining. Although the technique of making tubulars by unwrapping a band of metal from a storage roll is known (see D2), its application within the space of a wellbore implies grave constraints, which the skilled person is not expected to overcome without the exercise of inventive skills (Article 33(3) PCT).

The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent claim 16, which therefore is also considered new and inventive.

Claims 2 to 15, and claims 17 to 24 are dependent respectively on claims 1 and 16, and as such also meet the requirements of the PCT with respect to novelty and inventive step.